



RECEIVED
CENTRAL FAX CENTER

JAN 22 2007

RiverPark Towers
333 West San Carlos Street
Suite 600
San Jose, CA 95110
Direct Tel: (408) 975-7994
Facsimile: (408) 975-7501
ijoseph@kenyon.com

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner: Jin Cheng WANG	Jeffrey R. Joseph
COMPANY:	DATE:
USPTO	January 22, 2007
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(571) 273-8300	22
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	Intel 2207/11234
RE:	YOUR REFERENCE NUMBER:
Application No.: 09/895,768	Group Art Unit: 2628

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY CONFIRMATION
 ORIGINAL WILL FOLLOW ORIGINAL WILL NOT FOLLOW

Notes/Comments:

APPEAL BRIEF

1. Fax Cover Sheet (1)
2. Fee Transmittal (and one copy) (2)
3. Appeal Brief (20)

Total: (23) pages

Certificate of Facsimile Transmittal

I hereby certify that the above referenced correspondence is being transmitted via facsimile under 37 C.F.R. §1.11 to Examiner: Jin Cheng WANG at facsimile number: (571) 273-8300 at the United States Patent and Trademark Office.

Dated: January 22, 2007

Signature:

Barbara Vance

Barbara Vance

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION, INCLUDING ANY ATTACHMENTS, IS SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE, THE ATTORNEY WORK PRODUCT PRIVILEGE OR IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INTENDED RECIPIENT. IF THE READER OF THIS NOTICE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS TRANSMISSION TO THE INTENDED RECIPIENT, WE HEREBY NOTIFY YOU THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF ALL OR PART OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (408) 975-7500 OR FACSIMILE (408) 975-7501, SO THAT WE MAY ARRANGE FOR ITS RETURN OR DESTRUCTION AT OUR COST. THANK YOU.

**RECEIVED
CENTRAL FAX CENTER**

JAN-22-2007 18:02

KENYON KENYON

JAN 22 2007

14089757501 P.02

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ **500.00**)

Complete if Known

Application Number	09/895,768
Filing Date	June 29, 2001
First Named Inventor	Michael H. CHU et al.
Examiner Name	Jin Cheng WANG
Art Unit	2628
Attorney Docket No.	Intel 2207/11234

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

Deposit Account:

Deposit
Account
Number

11-0600

Deposit
Account
Name

Kenyon & Kenyon LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1063	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	500.00
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____				SUBTOTAL (3) 500.00	

*or number previously paid, if greater. For Reissues, see above

Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

<i>Complete if applicable</i>					
Name (Print/Type)	Jeffrey R. Joseph	Registration No. (Attorney/Agent)	54,204	Telephone	(408) 975-7500
Signature	<i>Jeffrey R. Joseph</i>			Date	January 22, 2007

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-785-9199) and select option 2.

**RECEIVED
CENTRAL FAX CENTER**

Patent

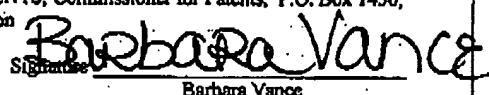
JAN 22 2007

Attorney Docket No.: Intel 2207/11234
Assignee: Intel Corporation

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant No. : 09/895,768 Confirmation No. 6925
 Applicants : Michael H. CHU, et al.
 Filed : June 29, 2001
 For : METHOD FOR THE MINIMIZATION OF ARTIFACTS IN
 FULL FRAME ANIMATIONS TRANSFERRED TO NTSC
 INTERLACED VIDEO
 Group Art Unit : 2628
 Examiner : Jin Cheng WANG
 Customer No. : 25693

M/S: APPEAL BRIEF - PATENTS
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office via facsimile number: (571) 273-8300 or deposited with the United States Postal Service as first class mail in an envelope addressed to: M/S: APPEAL BRIEF - PATENTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on	
Dated: January 22, 2007	Signature: 
Barbara Vance	

ATTENTION: Board of Patent Appeals and Interferences

APPEAL BRIEF

Dear Sir:

This brief is in furtherance of the Notice of Appeal, filed in this case on November 21, 2006.

01/24/2007 AWONDAF1 00000178 110600 09895768
01 FC:1402 500.00 DA

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF - PATENTS

1. REAL PARTY IN INTEREST

The real party in interest in this matter is Intel Corporation. (Recorded June 29, 2001; Reel/Frame 011964 / 0226).

2. RELATED APPEALS AND INTERFERENCES

There are no related appeals.

3. STATUS OF THE CLAIMS

Claims 1-15, and 19 and 21-29 are pending and rejected in the application. Claims 16-18 and 20 were previously canceled. Claims 1-2, 3-11, 12-15, 19 and 21-29 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1-2, 3-11, 12-15, 19 and 21-29 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 4-7, 15 and 19-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Demos U.S. Patent No. 5,852,565 hereinafter ("Demos-565") in view of Adobe-Dynamics-Media-Group, "A Digital Video Primer", pp. 1-31; June 2000 hereinafter ("Adobe-Dynamics-Media-Group"), and further in view of Demos U.S. Patent No. 6,442,203 hereinafter ("Demos-203") and *Adobe After Effects Version 4.1 for Macintosh and Windows* (www.adobe.com) hereinafter ("Adobe After Effects"). Claims 2, 3, 8-14, and 27-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Demos-565 in view of Adobe-Dynamics-Media-Group, and further in view of Demos-203 and *Adobe After Effects*.

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

4. STATUS OF AMENDMENTS

The claims listed on page A-1 of the Appendix attached to this Appeal Brief reflect the present status of the claims.

5. SUMMARY OF THE CLAIMED SUBJECT MATTER

The field of the present invention is that of image processing, and more specifically, the field of conversion of full frame animation into video with interlaced fields.

The embodiment of independent claim 1 of the present invention generally describes a method comprising: rendering of full frames at a whole number multiple of a digital video resolution value (*see e.g.* page 3, lines 4-5) defining the number of pixels contained in each full frame and at a whole number multiple of a temporal resolution value defining the rate of display of the full frames on a computer screen (*see e.g.* page 3, lines 9-10); resizing said full frames to produce a plurality of frames that are antialiased (*see e.g.* page 3, lines 10-page 4, line 10); and blending each consecutive frame (*see e.g.* page 4, line 10-page 16).

The embodiment of independent claim 2 of the present invention generally describes a method comprising: rendering of full frames at a whole number multiple of a digital video resolution value (*see e.g.* page 3, lines 4-5) defining the number of pixels contained in each frame and at a whole number multiple of a temporal resolution value defining the rate of display of said full frames on a computer screen (*see e.g.* page 3, lines 9-10); resizing said full frames to produce a plurality of frames that are antialiased (*see e.g.* page 3, lines 10-page 4, line 10); blending each consecutive frame (*see e.g.* page 4, line 10-page 16); blending the colors and images depicted in pixels that are within a gaussian blur radius value of a center pixel, wherein the number of pixels blended is proportional to a gaussian blur radius (*see e.g.* page 4, lines 17-

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

20); separating each full frame into a first and second field, wherein the first field contains the even lines of a frame and the second field contains the odd lines of a frame (*see e.g.* page 5, lines 13-15); and alternately displaying the first and second fields of each frame, the first field of each frame with the second field of each frame (*see e.g.* page 5, lines 13-15).

The embodiment of independent claim 19 generally describes a video conversion system, the system comprising: a computer terminal configured and operative to defining the number of pixels contained in each frame of full frames that are to be rendered at a whole number multiple of a digital video resolution value and that are to be rendered at a whole number multiple of a temporal resolution value defining the rate of display of full frames (*see e.g.* page 3, lines 4-11); said computer terminal is further configured and operative to resize said full frames to produce a plurality of frames that are to be antialiased and that are to be blends of each consecutive frame; and a computer screen attached to said terminal.

FIG.1 illustrates a flowchart of the method embodied by the present invention.

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. The rejection of claims 1-2, 3-11, 12-15, 19 and 21-29 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement

B. The rejection of claims 1-2, 3-11, 12-15, 19 and 21-29 under 35 U.S.C. § 112, second paragraph, as being indefinite failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention

C. The rejection of claims 1, 4-7, 15 and 19-26 under 35 U.S.C. § 103(a) as being unpatentable over Demos U.S. Patent No. 5,852,565 hereinafter (“Demos-565”) in view of

Application No.: 09/895,768

Date: January 22, 2007

APPEAL BRIEF – PATENTS

Adobe-Dynamics-Media-Group, "A Digital Video Primer", pp. 1-31; June 2000 hereinafter ("Adobe-Dynamics-Media-Group"), and further in view of Demos U.S. Patent No. 6,442,203 hereinafter ("Demos-203") and *Adobe After Effects Version 4.1 for Macintosh and Windows* (www.adobe.com) hereinafter ("Adobe After Effects")

D. The rejection of claims 2, 3, 8-14, and 27-29 under 35 U.S.C. § 103(a) as being unpatentable over Demos-565 in view of Adobe-Dynamics-Media-Group, and further in view of Demos-203 and *Adobe After Effects*?

7. ARGUMENT

A. Claims 1-2, 3-11, 12-15, 19 and 21-29 do not fail to comply with the written description requirement of 35 U.S.C. § 112, first paragraph.

Appellants assert that the claims currently pending in the present application are supported in the specification, as shown above in section 5 of this appeal brief, the Summary of the Claimed Subject Matter.

B. Claims 1-2, 3-11, 12-15, 19 and 21-29 do not fail to comply with 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In the office action dated August 21, 2006, Examiner asserts that appellants' claims do not particularly point out the INPUT image frames and OUTPUT image frames from any of the steps for the rendering, interpolating and blending steps. Appellants, however, assert that the antecedent basis of "full frames" makes it clear what the present state of the frames are as the frames go through resizing, interpolating, and blending steps.

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

C. Legal Background

Absent anticipation it may be possible to combine two or more patents together to render a claimed invention obvious, and unpatentable, under 35 U.S.C. § 103(a). In determining whether the claims are unpatentable it is necessary to look at what the references actually teach. “It is impermissible within the framework of § 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.” In Re Wesslau, 147 U.S.P.Q. (BNA) 391, 393 (C.C.P.A. 1965). Accordingly, a prior art reference must be considered in its entirety, and portions thereof must be taken in proper context. MPEP § 2141.02; Bausch & Lomb, Inc. v. Barnes-Hind, Inc., 230 U.S.P.Q. (BNA) 416, 419 (Fed. Cir. 1986).

35 U.S.C. § 103(a) states:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a **whole** would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

It is well established in the case law and apparent from a literal interpretation of 35 U.S.C. § 103(a) that an obviousness analysis must focus on the claimed invention as a whole, and not on the individual elements that comprise the invention. *See eg. Custom Accessories Inc. v. Jeffrey-Allan Industries, Inc.*, 1 U.S.P.Q.2d 1196 (Fed. Cir. 1986) (“Casting an invention as ‘a combination of old elements’ leads improperly to an analysis of the claimed invention by the parts, not by the whole.”).

Application No.: 09/895,768

Date: January 22, 2007

APPEAL BRIEF – PATENTS

D. Claims 1, 4-7, 15 and 19-26 should not be rejected under 35 U.S.C. § 103(a) as being unpatentable over Demos-565 in view of Adobe-Dynamics-Media-Group, and further in view of Demos-203 and Adobe After Effects version 4.1.

In the most recent office action dated August 21, 2006, as in the previous office actions, the Examiner is picking and choosing unrelated parts of the prior art and trying to piece them together in an attempt to render the applicants' invention obvious. As shown above, the case law clearly and unequivocally states that this is not a proper application of 35 U.S.C. § 103(a).

Page 2 of the Office Action dated August 21, 2006 states that Applicants' arguments filed on 6/27/06 are moot in view of new rejections. Similarly, page 2 of the Office Action dated April 4, 2006 states that Applicants' arguments filed on 7/22/2005 and 12/19/2005 are moot in view of new grounds of rejection. Applicants strongly disagree and assert that the arguments previously presented refute the Examiner's current rejections just as they did the previous rejections.

All four of the office communications received during the prosecution of this application have relied principally on the same flawed reference, Adobe-Dynamics-Media-Group, and the same flawed interpretation of 35 U.S.C. § 103(a). None of the Examiner's responses to Applicants' arguments have actually addressed Applicants' arguments. Instead, the Examiner has declared applicants' arguments moot in light of new rejections that, in reality, are nothing more than the Examiner's same, flawed arguments in a rehashed form.

In the most recent office action dated August 21, 2006, the Examiner makes essentially the exact same type of argument, but this time he uses an additional reference,

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

Adobe After Effects version 4.1. On page 9 of the Office Action dated August 21, 2006, Examiner states “ON PAGE 5 of Applicant’s specification, it is stated, ‘the method is advantageous because it is straightforward to implement with commercial software currently available . . .’” [Emphasis in original] “Because commercial software constitutes the prior art, the commercial software has taught the applicants’ claim invention as Applicant admitted of implementing it to arrive at the method . . .” The fact that applicants’ method can be implemented with commercially available software is completely irrelevant to the issue of patentability. Following this faulty reasoning, virtually any computer implemented method would be unpatentable, which is clearly not the case. Every computer-based method uses some sort of computer program or computer code to execute the method.

Examiner has not in any of the office actions issued during the prosecution of this application shown how any of these references, either together or individually, teach anything more than various functions that can be performed with commercially available software. The Examiner has not shown that the references teach Appellants’ method.

Adobe-Dynamic-Media-Group and Adobe After Effects merely provide an overview of various functions that can be performed with desktop software. Examiner has attempted to read Applicants’ claimed invention on these two references by finding random functions of various software packages that teach the individual elements of claim 1, but the references contains no support for piecing any of these various functions into the method as claimed.

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

For example, Adobe-Dynamic-Media-Group points out that resizing can be performed with desktop software, but it does not teach resizing as being an operation in a method. The difference between what Adobe-Dynamics-Media-Group discloses and Applicants' claim is apparent from the wording of Appelants' actual claim, which reads "Resizing said full frames to produce a plurality of frames that are antialiased." The wording of Applicants' claim makes it clear that resizing is a part of a method and is being done to frames that have been previously rendered "at a whole number multiple of a digital video resolution value defining the number of pixels contained in each full frame and at a whole number multiple of a temporal resolution value defining the rate of display of the full frames on a computer screen." The section of Adobe-Dynamics-Media-Group cited by Examiner does not link the resizing of the frames to the rendering of the frames which is necessary in order to teach the method of claim 1.

Similarly, Adobe-Dynamics-Media-Group does not teach "blending each consecutive frame" in the context of a method. The section cited by Examiner reads as follows:

There are three different frame types in MPEG-2. These are known as I, P, and B frames. I stands for "intraframe" encoding and works just like a DV frame of video. The P frame is a "predicted" frame. It is compounded from the frames previous to it. B is for "bi-directional" frame. This means that not only is the B frame computed from previous frames, it can also use frames that come after it. More data must be preserved to describe I frames, making them the "largest," whereas P frames can be less than a tenth of that size. B frames are the smallest. Because the P and B frames are calculated from the I frames, you can't just have one I frame and the rest P's and B's. There must be I frames interspersed or else the accumulated error becomes too great and the image quality suffers.

This does not teach blending consecutive frames that have been rendered and resized as recited in claim 1. Adobe-Dynamic-Media-Group makes no mention of how the frames were rendered or that the frames were resized before being converted to I, B, and P frames. As with the other elements of claim 1, Examiner is taking random pieces of the reference and reading them on the

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

claims' elements but is ignoring the fact that these pieces are not arranged in the same manner as in the claim and do not enable one of ordinary skill in the art to practice Applicants' invention, both of which are necessary requirements for a reference to anticipate a claim under 35 U.S.C. § 102(b).

In addition to failing to teach a method, the portion of Adobe-Dynamics-Media-Group cited by Examiner, does not even teach the claim element of "blending each consecutive frame." Neither I, B, nor P frames are blends of "each consecutive frame." An I frame is not blended at all, and a B frame is predicted from frames both before and after it. Adobe-Dynamic-Media-Group states that "P and B frames are calculated from the I frames. . ." The example provided on page 12 of Adobe-Dynamic-Media-Group only shows 3 of 30 frames being I frames. The IPB formats cited by the Examiner are therefore not blends of "consecutive frames."

Adobe-Dynamic-Media-Group's failure to teach a method is even more apparent when the functions cited by Examiner are looked at in their context. The description of resizing cited by Examiner is on page 7 of Adobe-Dynamics-Media-Group under the topic Video Basics and the sub-topic Types of Compression. The function of frame blending, which Examiner claims teaches Applicants' blending element is taught on pages 11 and 12 under the topic DV Technology and the sub-topic What is MPEG-2. Examiner claims that these two elements teach Applicants' method, but they appear in completely unrelated sections of the reference, and there is nothing in the reference leading one of ordinary skill in the art to use them in the manner claimed by Applicants.

Applicants submit that Adobe-Dynamic-Media-Group in fact teaches away from combining the various functions of these software programs into a method. Adobe-Dynamic-

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

Media-Group teaches that resizing and frame blending are compression techniques that reduce amounts of data, but as a result also reduce video image quality. “The goal of compression is to reduce the data rate while still keeping the image quality high.” (Adobe-Dynamic-Media-Group, page 7). “Because the video is compressed, it is possible for there to be visible degradations – known as compression artifacts.” (Adobe-Dynamic-Media-Group, page 11). Applicants’ disclosure teaches resizing and frame blending as part of a method that reduces artifacts. Additionally, when speaking about resizing frames, Adobe-Dynamic-Media-Group states that “[t]hese simple compression schemes won’t work, however, if we want our video to be displayed on a television monitor at full resolution and frame-rate. What we need is another way of approaching the compression problem.” (Adobe-Dynamic-Media-Group, page 7). Since Applicants’ claimed invention is a method for converting animation into video with interlaced fields, this explicitly teaches away from the Applicants’ claimed invention.

In conclusion, Applicants assert that Adobe-Dynamics-Media-Group does not enable one of ordinary skill in the art to practice Applicants’ invention, does not teach the elements of Applicants’ claimed invention in the same arrangement as Applicants’ invention, and does not teach all the elements of Applicants’ claimed invention.

For at least the foregoing reasons, Applicants submit that Adobe-Dynamic-Media-Group is an inadequate to support a 35 U.S.C. § 103(a) rejection, and that independent claim 1 is, therefore, allowable. For at least all the same reasons, independent claim 19 is similarly allowable. Appellants additionally assert that dependent claims 4-7, 15, and 20-26 are allowable as depending from allowable independent claims 1 and 19. Accordingly, appellants request the rejection under 35 U.S.C. § 103(a) be withdrawn.

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

E. Claims 2, 3, 8-14, and 27-29 should not be rejected under 35 U.S.C. § 103(a) as being unpatentable over Demos-565 in view of Adobe-Dynamics-Media-Group, and further in view of Demos-203 and *Adobe After Effects*.

For at least all the same reasons as mentioned above, appellants assert that independent claims 2 is allowable, and that dependent claims 3, 8-14, and 27-29 are allowable as depending from allowable independent claims 1, 2, and 19. Accordingly, appellants request the rejection under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

Appellants therefore respectfully request that the Board of Patent Appeals and Interferences reverse the Examiner's decision rejecting claims 2-11, 13, 18, and 20, and direct the Examiner to pass the case to issue.

The Examiner is hereby authorized to charge any additional fees which may be necessary for consideration of this paper to Kenyon & Kenyon LLP Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP

Date: January 22, 2007

By:


Jeffrey R. Joseph
(Reg. No. 54,204)
Attorneys for Intel Corporation

KENYON & KENYON LLP
333 West San Carlos St., Suite 600
San Jose, CA 95110

Telephone: (408) 975-7500
Facsimile: (408) 975-7501

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

APPENDIX

(Brief of Appellants Michael H. CHU, et al.
U.S. Patent Application Serial No. 09/895,768)

8. CLAIMS ON APPEAL

1. A method comprising:

Rendering of full frames at a whole number multiple of a digital video resolution value defining the number of pixels contained in each full frame and at a whole number multiple of a temporal resolution value defining the rate of display of the full frames on a computer screen;

Resizing said full frames to produce a plurality of frames that are antialiased; and
Blending each consecutive frame.

2. A method comprising:

Rendering of full frames at a whole number multiple of a digital video resolution value defining the number of pixels contained in each frame and at a whole number multiple of a temporal resolution value defining the rate of display of said full frames on a computer screen;

Resizing said full frames to produce a plurality of frames that are antialiased;
Blending each consecutive frame;

Blending the colors and images depicted in pixels that are within a gaussian blur radius value of a center pixel, wherein the number of pixels blended is proportional to a gaussian blur radius;

Separating each full frame into a first and second field, wherein the first field contains the even lines of a frame and the second field contains the odd lines of a frame; and

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF - PATENTS

Alternately displaying the first and second fields of each frame, the first field of each frame with the second field of each frame.

3. The method of claim 1, wherein blending the colors and images depicted in pixels that are within a gaussian blur radius value of a center pixel is performed, wherein the number of pixels blended is proportional to a gaussian blur radius.
4. The method of claim 1, wherein separating each frame into a first and second field, the first field contains the even lines of a frame and the second field contains the odd lines of a frame.
5. The method of claim 1, wherein alternately displaying the first and second fields of each frame, the first field of each frame with the second field of each frame.
6. The method of claim 1, wherein resizing each full frame to produce antialiased frames is performed with bicubic interpolation.
7. The method of claim 1, wherein each pair of consecutive frames is blended by averaging corresponding pixel values of each frame.

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF - PATENTS

8. The method of claim 1, wherein gaussian blurring of a non-zero pixel radius is performed that blends the colors and images depicted in pixels that are within a gaussian blur radius value of a center pixel.
9. The method of claim 2, wherein resizing each full frame to produce antialiased frames is performed with bicubic interpolation.
10. The method of claim 2, wherein each pair of consecutive frames is blended by averaging corresponding pixel values of each frame.
11. The method of claim 2, wherein gaussian blurring of a non-zero pixel radius is performed that blends the colors and images depicted in pixels that are within a gaussian blur radius value of a center pixel.
12. The method of claim 3, wherein the gaussian blur pixel radius is 0.2.
13. The method of claim 3, wherein the gaussian blur pixel radius is greater than 0.2.
14. The method of claim 3, wherein the gaussian blur pixel radius is less than 0.2.

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF - PATENTS

15. The method of claim 1, wherein said rendering step is implemented using commercial software.

16-18 (Cancelled)

19. A video conversion system, the system comprising:

A computer terminal configured and operative to define the number of pixels contained in each frame of full frames that are to be rendered at a whole number multiple of a digital video resolution value and that are to be rendered at a whole number multiple of a temporal resolution value defining the rate of display of full frames;

said computer terminal is further configured and operative to resize said full frames to produce a plurality of frames that are to be antialiased and that are to be blends of each consecutive frame.

A computer screen attached to said terminal.

20. (Cancelled)

21. The system of claim 19, wherein the colors and images depicted in pixels located at identically numbered pixel points in each frame are blended together.

22. The system of claim 21, wherein each frame is separated into a first and second field.

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

23. The system of claim 22, wherein the first field contains the even lines of a frame and the second field contains the odd lines of a frame.
24. The system of claim 23, wherein the first and second fields of each frame are interlaced and displayed alternately.
25. The system of claim 24, wherein each full frame is resized to produce antialiased frames using bicubic interpolation.
26. The system of claim 25, wherein each pair of consecutive frames is blended by averaging corresponding pixel values of each frame.
27. The system of claim 26, wherein gaussian blurring is performed that blends the colors and images depicted in pixels that are in proximity to one another in each frame.
28. The system of claim 27, wherein the gaussian blur pixel radius is 0.2.
29. The system of claim 28, wherein the gaussian blur pixel radius is greater than 0.2.

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF - PATENTS

9. EVIDENCE APPENDIX

No further evidence has been submitted with this Appeal Brief.

Application No.: 09/895,768
Date: January 22, 2007
APPEAL BRIEF – PATENTS

10. **RELATED PROCEEDINGS APPENDIX**

Per Section 2 above, there are no related proceedings to the present Appeal.